

Appl. No. 10/066,595  
Amdt. Dated Oct 04, 2004  
Reply to Final Action of Sep 10, 2004

**MAIL STOP AF****Amendments to Claims:**

The listing of claims will replace all prior versions, and listing, of claims in the application:

**Listing of Claims:**

1. (previously cancelled)
2. (previously cancelled)
3. (previously cancelled)
4. (previously cancelled)
5. (previously cancelled)
6. (previously cancelled)
7. (previously cancelled)
8. (previously cancelled)
9. (previously cancelled)
10. (previously cancelled)
11. (previously cancelled)
12. (currently amended) An apparatus for adding a color syrup additive to a tempered, lipid-based formulation, comprising:
  - a storage tank containing said tempered lipid-based formulation;
  - a mixing body for evenly mixing said color syrup additive into said tempered, lipid-based formulation to form a mixture, said mixing body having an outlet tube for said mixture;
  - a feed tube coupled to said storage tank for feeding said tempered lipid-based formulation into said mixing body in a continuous stream;

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a reservoir for said color syrup additive;

an injection port located at a position within the interior of said feed tube so as to be surrounded by said tempered lipid-based formulation as it flows into said mixing body; and

~~a cyclically operating pump connected to said reservoir and configured to for~~  
intermittently supplying said color syrup additive from said reservoir to said injection port as said tempered, lipid-based formulation flows through said feed tube so as to deposit discrete quantities of said color syrup additive into said continuous stream of said tempered, lipid-based formulation; and

whereby a plurality of spaced apart discrete quantities of said color syrup additive are axially located in said continuous stream of lipid-based formulation as it enters said mixing body through said feed tube; and

\_\_\_\_\_ and whereby said mixing body includes means for ensuring said mixture is  
evenly colored as it exits said mixing body at said outlet tube.

13.(previously amended) The apparatus of claim 12, wherein said mixing body is cylindrical, and comprises a plurality of fingers directed radially inwardly from the circumference thereof, and a plurality of interposed circular discs each having a diameter less than the diameter of the mixing body mounted axially along the length of the mixing body.

14.(previously amended) The apparatus of claim 12, wherein said mixing body is a jacketed ribbon blender.

15.(previously amended) The apparatus of claim 12, wherein said cyclically operating pump is a proportional pump.

16.(previously added). The apparatus of claim 12, wherein said injection port is centrally located within said feed tube.

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